

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – June 13, 2008
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:06 a.m., recessed at 10:02 a.m., reconvened at 10:22 a.m. and adjourned at 11:20 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks (in at 9:10 a.m.), Day, Kreitzer, Riess

Commissioners Absent: Pallinger, Woods

Advisors Present: Areigat, Sinsay (DPW) Taylor (OCC)

Staff Present: Baca, Giffen, Grunow, Hofreiter, Johnston, Lubich, Maxson, Quasarano, Rosenberg, Rowan, Russell, Slovick, Tondro, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance

None.

F. Formation of Consent Calendar: Items 1 - (TM 5518RPL¹); 2 - (R07-008/TM 5463RPL¹/S05-068); 5 - (P07-018); 7 - (P98-024W¹); and 8 - (P08-001)

TM 5518RPL¹, Agenda Item 1:**1. Donahue Drive, Tentative Map (TM) 5518RPL¹, Valle de Oro Community Plan Area**

Proposed subdivision of 4.13 acres into seven residential lots. The project site is in an infill location in an existing residential neighborhood. It is bounded on the north by Hillsdale Road and is bisected by Donahue Drive. The site is subject to the Current Urban Development Area (CUDA) of the General Plan, and the (3) Residential Land Use Designation, which permits a maximum density of two dwelling units per acre. Zoning for the site is RR2, Rural Residential. The project site contains a single-family residence that will be retained. Access to six residential lots will be provided by a new public road connecting to Donahue Drive; the remaining lot will access Donahue Drive directly. The topography of the site and the adjacent land slopes gently (less than 15% grade) downward from the west to the east. Earthwork will consist of 12,700 cubic yards of cut and 6,300 cubic yards of fill.

Staff Presentation: Quasarano

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Day

Adopt the Resolution approving TM 5518RPL¹, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	4 -	Beck, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Pallinger, Woods

**R07-008, TM 5463RPL¹,
and S05-068, Agenda Item 2:**

2. Channel Road, Zone Reclassification R07-008, Tentative Map (TM) 5463RPL¹ and Site Plan S05-068, Lakeside Community Plan Area

Proposed Zone Reclassification, Tentative Map and Site Plan that would allow development of a 0.03-acre lot with a three-story, eight-unit condominium complex at 10004 Channel Road in the Lakeside Community Plan Area. The 10,154 square-foot condominium complex includes: (1) a lower level parking area containing 19 parking spaces; (2) a second story containing three two-bedroom units and one three-bedroom unit; (3) a third story that contains three two-bedroom units and one three-bedroom unit; (4) 1,632 square feet of group useable open space located at the southern end of the property; (5) 400 square feet of private useable open space designed as private balconies; and (6) a 400 square-foot children's play area. The proposed Zone Reclassification would reclassify the existing height designation from "G" (allowing a maximum height of 35 feet and two stories) to "H", which allows a maximum height of 35 feet and three stories. The project site is subject to the (9) Residential Land Use Designation, the RU29, Urban Residential Use Regulations, which allows a maximum density of 29 units per acre. The project site currently contains a mobile home and storage shed that will be removed.

Staff Presentation: Slovick

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Day

1. Adopt the Mitigated Negative Declaration dated February 14, 2008;
2. Adopt the Resolution approving TM 5463RPL1, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law. The approval of this TM shall become effective 30 days after the adoption of this Resolution, which shall not occur until Zoning Reclassification R07-008 has also become effective.
3. Grant Site Plan S05-068, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance

**R07-008, TM 5463RPL¹,
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and State law. The approval of this Site Plan shall become effective 30 days after the approval of this Site Plan, which shall not occur until Zoning Reclassification R07-008 has become effective.

4. Recommend that the Board of Supervisors adopt the Form of Ordinance changing the zoning classification of certain property in the Lakeside Community Plan Area, Ref: R07-008.

Ayes:	4 -	Beck, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Pallinger, Woods

SPA 07-001, P81-023W Agenda Item 3:**3. Lake Rancho Viejo, Specific Plan Amendment (SPA) 07-001, Major Use Permit P81-023W, Fallbrook Community Plan Area**

Proposed Specific Plan Amendment (SPA 07-001) and Major Use Permit Modification (P81-023W⁵), which would allow amendment of the Lake Rancho Viejo Specific Plan and Modification of an existing Major Use Permit to remove recreational vehicle parking on approximately 3.5 acres of land. The project site, which is currently vacant, is located east of I-15, immediately adjacent to Keys Creek and a 78-acre open space preserve and south of a residential area within the Lake Rancho Viejo Specific Plan, at the southern terminus of Lake Circle Street. A planned extension of that street into the proposed open space will be vacated by the Major Use Permit Modification.

Staff Presentation: Hofreiter

Proponents: 3; **Opponents:** 3

Discussion:

The Fallbrook Community Planning Group representative states the Group is opposed to this proposal to remove recreational vehicle parking on approximately 3.5 acres of land in the Lake Rancho Viejo Major Use Permit and designate that land as biological open space. He lists many concerns, chief among them being his belief that open space will present a significant fire threat to the area. The Planning Group representative maintains that applicant and his representatives never attempted to resolve the Group's concerns. He believes the applicant's improvements to Keys Creek Channel resulted in the destruction of $\frac{3}{4}$ mile of habitat for the red-legged frog and the Arroyo toad. He applauds the applicant's provisions for trails and irrigation, but reminds the Planning Commission that San Diego County is in the midst of a drought. The Planning Group representative remains adamant that approving the project will not allow brush clearing. Neighboring property owners are also opposed to this project for the same reasons, and speak of the severe need to clear the area of the invasive plant species.

Commissioner Beck points out that as designed, the applicant has increased biological habitat and open space provisions, in addition to providing extensive brush and vegetation clearing for fire protection. Commissioner Kreitzer agrees with Commissioner Beck's comments. Commissioner Beck also reminds project opponents that the Habitat Management Plan requires removal of all non-native invasive plant species.

**R07-008, TM 5463RPL¹,
and S05-068, Agenda Item 2:**

Action: Beck – Day

Recommend that the Board of Supervisors:

Adopt the Resolution approving SPA 07-001 as amended by Staff, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law;

Grant Major Use Permit Modification P81-023W⁵, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law; and

Direct Staff to ensure that Condition C.1 of the Major Use Permit Modification requires the applicant to file a complete application with the County in order to vacate the easement of Lake Circle Street from the southeast corner of lot 37 southerly to the terminus as shown on Map Number 12848.

Discussion of the Action:

Chairman Riess voices concern that the applicant neglected to work with community residents and the HOA. In response, the applicant's representative informs the Commission that several meetings between the applicant, the Planning Group and the Design Review Board were held, but community residents did not seem receptive to communicating with the applicant's representatives.

Ayes:	5 -	Beck, Brooks, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Pallinger, Woods

P06-062, Agenda Item 4:**4. Krippner Wireless Telecommunications Facility, Major Use Permit P06-062, Bonsall Community Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility at 2682 Gopher Canyon Court. The proposed facility consists of three panel antennas attached to a new faux chimney behind an RF transparent material. The faux chimney will match the design of a proposed garage building, to which it will be attached, with a total height of 20 feet. The equipment will be housed in a 10' X 16' equipment room within the proposed garage. The project will occupy 160 square feet of the one-acre parcel. The project site is subject to the (19) Intensive Agriculture Land Use Designation, and is zoned A70, Limited Agriculture.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 2

Discussion:

Staff informs the Planning Commission that the applicant evaluated five potential project sites and determined that this location is the most suitable for coverage needs. The Bonsall Sponsor Group recommended approval of this proposal, but several neighboring residents voice concern that the chimney-camouflaged facility will impact their visual quality and change the rural character of the neighborhood. They remain opposed to the facility in spite of Commissioner Beck's clarification to them that the proposed garage is allowed by right.

Action: Day – Beck:

Grant Major Use Permit P06-062, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	5 -	Beck, Brooks, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Pallinger, Woods

P07-018, Agenda Item 5:**5. Domingo Residence Wireless Telecommunications Facility, Major Use Permit P07-018, Lakeside Community Plan Area**

Request for a Major Use Permit to allow the construction and operation of an unmanned wireless telecommunications facility at 10769 Valle Vista Road. The proposed facility includes a 35' tall flagpole with three panel antennas internally mounted, and an associated equipment shelter. Equipment will consist of a Nortel CMO cabinet and will be enclosed by an 8' X 10' X 8' CMU wall. The equipment shelter will be placed within a slope, with the top of the shelter measuring 1.75' below grade level, and will be painted and textured to match the existing onsite residence. The proposed facility will occupy 80 square-feet of the 1.86-acre parcel, which has a Land Use Designation of (1) Residential.

Staff Presentation: Tondro

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Day

Grant Major Use Permit P07-018, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	4 -	Beck, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Pallinger, Woods

P96-001W², Agenda Item 6:**6. Cottonwood Wireless Telecommunications Facility, Major Use Permit Modification P96-001W², Valle de Oro Community Plan Area**

Request for a Modification to an existing Major Use Permit, to allow the construction and operation of an emergency stand-by generator for an unmanned wireless telecommunications facility at 12118 Campo Road in Rancho San Diego. The 30kW diesel generator is approximately 95" X 38" X 88", and includes a 132-gallon fuel storage tank. The proposed generator will be enclosed by an 8' tall CMU wall as a fire prevention and noise attenuation barrier. The project will occupy 840 square-feet of the 3.7-acre parcel. The project site is designated (21) Specific Plan, and is zoned S90 (Holding Area).

Staff Presentation: Tondro

Proponents: 1; **Opponents:** 1

Discussion:

The applicant informs the Planning Commission that the project site was identified and planned in 2002 following the events of September 11, 2001, and the proposed stand-by generator is necessary to fulfill agreements with the Department of Homeland Security. The Valle de Oro Planning Group representative remains concerned about the proposal to store fuel onsite, but the applicant's representative explains that the Department of Homeland Security requires 24-48 hours of back-up supplies, including fuel, in case of a catastrophic event. The fuel will be stored in a double-walled, sensed containment tank, and the proposed stand-by generator will be housed in a 1/8" thick insulated metal containment unit. Both will be mounted on concrete bases. It is the FCC's goal that 90% of Verizon's coverage be permanently backed-up for emergency and security purposes. The applicant's representative further informs the Planning Commissioners that all emergency service providers are now affiliated with Verizon.

Action: Day – Brooks

Grant Major Use Permit Major Use Permit Modification P96-001W², which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	5 -	Beck, Brooks, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Pallinger, Woods

P98-024W¹, Agenda Item 7:**7. Travel Plaza Multi-Use Commercial Facility and Truck Stop, Major Use Permit P98-024W¹, Otay Subregional Plan Area**

Proposed Modification to a previously approved Major Use Permit on an approximately 80-acre parcel in the East Otay Mesa Specific Planning Area. The previously approved Permit was for truck and trailer parking and a multi-use commercial facility including fuel sales, service bays, offices, convenience store, driver services, restaurant, parking and a three-story hotel. The previously approved uses were never constructed and the project site has remained vacant. The Major Use Permit Modification divides the project into two phases: Phase 1 is an interim use for truck and trailer storage; it is located in proposed future alignment for State Route 11. Phase II is the multi-use facility. The Modification also includes three additional access points along Enrico Fermi Drive and a change in the location of the access points off Airway Road. It includes changes to the location of the detention basins and an increase in the slope ratio for those basins from 3:1 to 2:1. The interim use has been modified to add approximately 600 parking spaces in a previously undeveloped area.

Staff Presentation: Rosenberg

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Day

Grant Major Use Permit P98-024W¹, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	4 -	Beck, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Pallinger, Woods

Commissioner Beck realizes the applicant is only requesting Modification of an existing MUP, and understands that issues related to biological impacts have already been addressed, but he believes circumstances have changed since the initial approval of the project. He reminds Staff that several years ago, burrowing owls were located on this property. The burrowing owl, Coastal cactus wren and golden eagle are covered species under the MSCP, and their numbers are declining. He would like to know how Staff, with regard to this project, is addressing that fact. In addition, Commissioner Beck clarifies that the

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mitigation ratio for environmental impacts on this site is 1:1 and requires translocation. He questions whether success standards for translocation exists. Staff informs the Planning Commission that 100% of the site was previously graded several years ago and there is no habitat onsite. Staff further informs the Commission that the MSCP contains specific translocation criteria for the burrowing owls. Commissioner Beck is quite dismayed to learn that translocation of the burrowing owls previously onsite failed, and believes the Commission should have been informed. He notes that hundreds of Permits have been issued under the MSCP and three of the species covered under that Program are crashing (i.e., the burrowing owl, the cactus wren and the golden eagle), yet there has been no reaction from the County or environmental agencies. Staff is requested to bring back a report on the issues raised by Commissioner Beck. Commissioner Beck would also like a copy of the Bittner Raptor report.

P08-001, Agenda Item 8:**8. Burris Water Tank Wireless Telecommunications Facility, Major Use Permit P08-001, Valle de Oro Community Plan Area**

Proposed Major Use Permit to allow construction and operation of an unmanned wireless telecommunications facility at 1697 Burris Drive in the Valle de Oro Community Plan Area. The facility includes three panel antennas and one microwave dish antenna façade mounted to an existing 34' tall water tank. Associated equipment will consist of one CMO equipment cabinet, one microwave cabinet, one Postive Temperature Coefficient (PTC) cabinet, and one GPS antenna mounted to the CMO equipment cabinet. The associated equipment will be enclosed by a 6' tall concrete masonry unit wall painted to faded olive green to match the existing water tank. The project will occupy 96 square feet of the 1.07-acre parcel. The project site is subject to the (17) Estate Residential Land Use Designation.

Staff Presentation: Lubich

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Day

Grant Major Use Permit P08-001, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	4 -	Beck, Day, Kreitzer, Riess
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Pallinger, Woods

P08-001, Agenda Item 8:

F. Director's Report:

Chairman Riess and his fellow Planning Commissioners commend Comm. Kreitzer for his service as Planning Commission Chairman in 2007.

The Board of Supervisors will re-reconsider their previous actions with respect to POD 07-001, the Boutique Winery Ordinance.

G. Report on actions of Planning Commission's Subcommittees:

None.

H. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

None.

I. Discussion of correspondence received by the Planning Commission:

None.

J. Scheduled Meetings:

June 27, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 11, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 25, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 8, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 22, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 5, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 3, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 17, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 31, 2008	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room

Administrative:

November 7, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

November 21, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 5, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 19, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 11:20 a.m. to 9:00 a.m. on June 27, 2008 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.